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 PFIZER, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

RANDALL J. SLOAN, an individual,  
 Plaintiff,

vs.

PFIZER, INC., a Delaware corporation; and  
 DOES 1 through 40, inclusive,

Defendants.

Case No. CV-08-1849 SBA

**PFIZER, INC.'S EVIDENTIARY  
 OBJECTIONS TO THE DECLARATION  
 OF DANIEL P. IANNITELLI IN  
 SUPPORT OF PLAINTIFF'S  
 OPPOSITION TO PFIZER, INC.'S  
 MOTION TO TRANSFER VENUE**

*[Reply Brief, Declaration of Thomas Kelly,  
 and [Proposed] Order filed concurrently  
 herewith.]*

Date: July 29, 2008

Time: 1:00 p.m.

Ctrm.: 3, 3<sup>rd</sup> Fl.

DJ: Hon. Sandra B. Armstrong

Case Removed to Federal Court: 4/7/2008

Defendant Pfizer, Inc. ("Pfizer") hereby objects to the declaration submitted by plaintiff's counsel Daniel P. Iannitelli ("Iannitelli") in Support of Plaintiff's Opposition to Pfizer's Motion to Transfer Venue to the Southern District of New York as follows:

Objection No. 1:

Pfizer objects to paragraph 3, lines 24 – 27 which reads as follows:

"Mr. Sloan is presently without an income and has been unemployed since January 8, 2007. He is living on limited means and is seeking social security benefits. He is nearly destitute relying on the financial assistance of others."

Pfizer objects to these statements regarding plaintiff's financial condition on the grounds that they personal knowledge, foundation and constitute inadmissible hearsay. (Fed. R. Evid. §§ 602, 802)

Objection No. 2:

Pfizer objects to paragraph 3, lines 27-28 which reads as follows:

"Mr. Sloan's mental and physical health, according to his physicians whom I recently consulted with, are in poor states."

Pfizer objects to Iannitelli's statement about the opinions of plaintiff's physicians regarding plaintiff's medical condition on the grounds that it lacks foundation, lacks personal knowledge and constitutes inadmissible hearsay. (Fed. R. Evid. §§ 602, 802) Moreover, its probative value, if any, is substantially outweighed by the likelihood of unfair prejudice and confusion of the issues. (Fed. R. Evid. § 403)

Objection No. 3:

Pfizer objects to paragraph 5 in its entirety, which reads as follows:

"I have conducted research and have identified several operations centers and/or business offices of Pfizer, Inc. within the State of California, including locations in South San Francisco, Sacramento, La Jolla and Irvine."

Pfizer objects to Iannitelli's statements regarding alleged locations of Pfizer operations in California on the ground they lack foundation and relevance. (Fed. R. Evid. §§ 602, 402) Given the lack of foundation and relevance of these statements, their probative value, if any, is substantially outweighed by the likelihood of unfair prejudice and confusion of the issues. (Fed. R. Evid. § 403)

Dated: July 15, 2008

Respectfully submitted,

JACKSON LEWIS LLP

By: /s/ Janine R. Hudson  
 Mitchell F. Boomer  
 Janine R. Hudson  
 Attorneys for Defendant  
 PFIZER, INC.